

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

ELLA BAKER, et al.,

Plaintiffs,

v.

UNITED STATES OF AMERICA, et
al.,

Defendants.

HON. JEROME B. SIMANDLE

Civil No. 12-494 (JBS/JS)

ORDER

This matter having come before the Court upon Defendant United States of America's motion to dismiss Plaintiff's Amended Complaint for lack of jurisdiction pursuant to Fed. R. Civ. P. 12(b)(1) [Docket Item 14]; the Court having considered the submissions of the parties; for the reasons explained in the Opinion of today's date; and for good cause shown;

IT IS this 17th day of **January, 2013** hereby

ORDERED that the United States' motion to dismiss Plaintiffs' amended complaint for lack of subject matter jurisdiction pursuant to Fed. R. Civ. P. 12(b)(1) is GRANTED; and it is

ORDERED that all claims against the United States arising under the Federal Tort Claims Act are dismissed without prejudice to Plaintiffs' opportunity to file a second amended complaint to cure the jurisdictional deficiencies within thirty (30) days hereof; and it is further

ORDERED that the remaining claims against the United States arising under 42 U.S.C. §§ 1983 and 1985 shall be and they hereby are, dismissed with prejudice.

s/ Jerome B. Simandle
JEROME B. SIMANDLE
Chief U.S. District Judge